

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: MAY 16, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ZON-19444 - APPLICANT/OWNER: NADER ZEIGHAMI**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

**Public Works**

3. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northwest corner of Decatur Boulevard and Auburn Avenue prior to the issuance of any permits.
4. Construct all incomplete half-street improvements on Decatur Boulevard and construct half-street improvements including appropriate overpaving and transition paving, if legally able, on Auburn Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a rezoning to C-1 (Limited Commercial), in order to bring the parcel into compliance with the General Plan of SC (Service Commercial). The property is currently undeveloped and is zoned R-E (Residential Estates). The property owner plans to construct a retail building on the parcel. Plans have not been submitted for review.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
Month/date/year	Action
01/17/95	The City Council approved a Resolution of Intent to rezone the subject property from R-E (Residential Estates) to C-1(Limited Commercial) with a twelve-month time limit (Z-103-95). (Expired 1/17/96).
04/12/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #10/lhm).
<b><i>Pre-Application Meeting</i></b>	
01/26/2007	No site plan: Noted property will likely have issues with residential adjacency with single-family dwellings on adjacent parcels within Clark County jurisdiction.
<b><i>Neighborhood Meeting</i></b>	
N/A	A neighborhood meeting is not required for this application type nor was one held.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	
Net Acres	.48

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	SC(Service Commercial)	R-E( Residence Estates)
North	Retail	SC(Service Commercial)	C-1 (Limited Commercial)
South	Clark County Residential	SC(Service Commercial)	Clark County

East	Undeveloped	ML (Medium Low Residential)	R-1(Single Family Residential) ROI R-PD8 (Residential Planned Development – 8 DUA)
West	Clark County Residential	R (Rural Density Residential)	Clark County

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District (70 Feet)	X		Y
<b>Trails</b>		X	Y
<b>Rural Preservation Overlay District</b>		X	Y
<b>Development Impact Notification Assessment</b>		X	Y
<b>Project of Regional Significance</b>	X		Y

## DEVELOPMENT STANDARDS

<b>Existing Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-E (Residence Estates)	2 DUA	1
<b>Proposed Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
C-1 (Limited Commercial)	N/A	N/A
<b>General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
SC(Service Commercial)	N/A	N/A

## ANALYSIS

The proposed C-1 (Limited Commercial) zone conforms with the SC (Service Commercial) General Plan designation of the subject site. The retail and office uses typically found within the C-1 (Limited Commercial) zoning district are compatible with the commercial uses to the north of this site. The adjacent public right-of-ways will not be negatively affected by the by the C-1 (Limited Commercial) zoning district.

The property owner has stated that he plans to build a retail building on the site. Building plans have not been submitted for review.

## **FINDINGS**

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

**1. “The proposal conforms to the General Plan.”**

The proposed C-1 (Limited Commercial) zone would be in conformance with SC (Service Commercial) General Plan designation.

**2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The uses allowed with the proposed C-1 (Limited Commercial) zoning district are compatible with the commercial uses to the north of this site.

**3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

The Rezoning is considered appropriate as it would bring the zoning into conformance with the General Plan designation.

**4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

Decatur Boulevard is a 100 foot wide Primary Arterial which will not be adversely impacted by the proposed C-1 (Limited Commercial) zoning district.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

3

### **ASSEMBLY DISTRICT**

7

### **SENATE DISTRICT**

4

### **NOTICES MAILED**

228 by Planning Department

### **APPROVALS**

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### **PROTESTS**

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